

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

MARK ORTEGA Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

SECURE ONE CAPITAL CORPORATION,

Defendant.

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SA-24-CV-519-OLG (HJB)

**ORDER**

Before the Court is Plaintiff's Motion for Leave to Amend Complaint. (Docket Entry 18.) Pretrial and scheduling matters in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b). (See Docket Entry 12.)


Plaintiff, who proceeds *pro se* in this case, filed his original complaint against one Defendant, Secure One Capital Corporation ("Secure One"). (Docket Entry 1.) When Secure One did not answer or respond to the complaint, Plaintiff filed a Motion for Clerk's Entry of Default, and the Clerk of Court entered default the same day. (See Docket Entries 5 and 6.)

After the District Court referred the matter to the undersigned, the undersigned ordered that Plaintiff file a motion for default judgment against Secure One. (Docket Entry 14.) But instead of seeking default judgment, Plaintiff moved to amend his complaint to add an employee and an officer of Secure One as individual Defendants. (See Docket Entry 18.) Upon careful consideration, the Court finds Plaintiff's motion to be well taken. The Court will therefore grant the motion to amend, and it will suspend any deadline for seeking default judgment until such time as the joined Defendants are served and have had an opportunity to respond.

Accordingly, it is hereby **ORDERED** that Plaintiff's Motion for Leave to Amend Complaint (Docket Entry 18) is **GRANTED**, and the Clerk of Court is directed to file Plaintiff's Amended Complaint (Docket Entry 18-1) with the other pleadings and papers in this case.

It is **FURTHER ORDERED** that the deadline for seeking default judgment against Secure One is **SUSPENDED** pending further Order of the Court.

**SIGNED** on March 26, 2025.

  
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Henry J. Bemporad  
United States Magistrate Judge